

## AGENDA

### GALLUP CITY COUNCIL REGULAR MEETING TUESDAY, SEPTEMBER 8, 2020; 6:00 P.M.



Louie Bonaguidi, Mayor

Linda Garcia, Councilor, Dist. 1      Michael Schaaf, Councilor, Dist. 2  
Yogash Kumar, Councilor, Dist. 3      Fran Palochak, Councilor, Dist. 4

Maryann Ustick, City Manager  
Curtis Hayes, City Attorney

**PUBLIC NOTICE:** In accordance with the public health order issued by the New Mexico Department of Health, the meeting will be physically closed to the public; however, it will be accessible to the public via the following technology service:

Facebook Live stream through the City of Gallup's Facebook Page:  
<https://www.facebook.com/CityOfGallup/>

**Members of the public may submit comments on Discussion/Action Topic #5 regarding the Edward Byrne Memorial Justice Assistance Grant Program 2020 and on non-agenda items. Please call 863-1254 to leave your name and a return phone number.**

**A. Pledge Of Allegiance**

The members of the body and the public are invited to recite the Pledge of Allegiance.

**B. Roll Call**

**C. Approval Of Minutes**

Special Meeting of August 24, 2020

Documents:

[DRAFT MINUTES SP MTG AUG 24 2020.PDF](#)

**D. Discussion/Action Topics**

## 1. Acceptance Of CARES Act Funding

The City of Gallup has been awarded two grants from the Cares act by the State of New Mexico. The funding is part of the Federal Cares act passed earlier this year.

The first award is for funding to local businesses in the amount of \$2,130,000. Of this amount we will be allocating up to 5% (\$106,500) for administrative costs. We will be taking applications from local businesses soon and have a committee established to review those that qualify. The limit per business is \$10,000 and we will offer the funds on a first come first serve basis until all available funds have been awarded.

The second award is \$918,581 for reimbursement of costs to the City for Covid-19 response. We will be reimbursed upon approval of properly documented requests. A list of eligible expenditures that have been identified is attached. Please note this amount exceeds the amount awarded and we will only be funded up to the award amount.

The time frame for the expenditures for both grants is March 1, 2020 through December 30, 2020.

Fiscal Impact: The City will be reimbursed up to \$918,581 for Covid-19 costs. The business grants will be a pass through for all but the \$106,500 of administrative costs. A budget adjustment to revenue of \$3,048,581 and an expenditure adjustment of \$106,500 is needed.

Recommendation: Approve the two grant agreements as well as necessary budget adjustments

Speaker's Name Maryann Ustick

Documents:

[FUNDING REQUESTS AS OF SEPT 1.PDF](#)

[GALLUP\\_CARES-13001-CGA.PDF](#)

[GALLUP\\_CARES-BUS-13001-CGA.PDF](#)

## 2. Resolution No. R2020-27; Annual NM Infrastructure Capital Improvement Plan Submission

The State Department of Finance and Administration (DFA) requires local governments to systematically develop and annually submit a five (5) year ICIP as a means of defining development needs and identifying funding sources. The ICIP is then used by all State agencies involved in funding local government projects as a means of analyzing proposed capital outlay bills during the State legislative sessions.

For your consideration, attachment (a) provides a complete listing of all proposed ICIP projects. Projects are the Community Improvement Plan (CIP) projects for the next five (5) years as presented and were approved by the City Council during the 2020-2021 budget process. All project estimates are "conceptual" in nature (within -25% to +75% of completed project costs) and are not exact. Project cost estimates are repeatedly refined as each project is planned, programmed, designed, and ultimately constructed. (To visualize this order of project cost refinement, see attachment (b) for "Estimating Accuracy Trumpet illustration.) Projects are not listed in any priority order other than planned year.

Last, DFA will no longer allow any changes after submission and before the

State Legislature Convenes. Staff needs the City Council's:

1. Tentative Identification of the 2021 top five legislative priorities; and
2. Approval of the projects as listed in the form of a resolution. (See attachment (c).)

There is no direct impact on the City's budget, however, the State ICIP may be used as a consideration by the Governor, State Agencies, and/or the State Legislature in their grant approval process.

Staff recommends that Council identify the City's top five (5) tentative projects for Legislative funding. As a starting point for City Council discussion, Staff proposes for the City Council's consideration the following top five (5) priorities:

1. New Public Safety Building Construction Project.
2. Coal Avenue Commons Construction Project Phase 2.
3. East Nizhoni Boulevard Reconstruction Project.
4. New Regional Library Building Construction Project
5. West Logan Avenue Improvements

Note that a project site has not been selected for the new Regional Library Building. City Council will need to make a site selection for this project as soon as possible.

Fiscal Impact:	None
Recommendation:	Staff recommends approval of the ICIP project listing and priorities; Resolution No. R2020-27
Speaker's Name	C.B. Strain

Documents:

[ICIP FY 2022-2026 AS OF 09012020.PDF](#)  
[COST ESTIMATING ACCURACY TRUMPET.PDF](#)  
[APPENDIX II - RESOLUTION TEMPLATE\(1\) ICIP \(1\).PDF](#)

**3. Resolution No. R2020-28; Acceptance Of State Of New Mexico DFA Fund 89200 Capital Appropriation Project Grant Agreement For TDFL Field Improvements**

The Planning and Development Department is requesting City Council to accept the State of New Mexico Department of Finance and Administration Fund 89200 Capital Appropriation Project Grant Agreement 20-E2627 for \$100,000.00 and to change the designated grantee points of contact to Mr. Vince Alonzo, Parks and Recreation Director and Mrs. Patty Holland, Chief Financial Officer.

The project that is the subject of this agreement is 20-E267 for a total of \$100,000.00 Appropriation Reversion Date: 6/30/2024, Laws of 2020, Chapter 81, Section 35, Para. 283, one hundred thousand dollars (\$100,000.00) to plan, design, construct, repair and improve facilities used by the Tony Dorsett Touchdown Football League at Washington Park in Gallup in McKinley County.

Staff is requesting that City Council Accept the grant agreement and approve expenditure and revenue budget. This is a 100% reimbursable grant with no required matching funds.

Fiscal Impact:	\$100,000.00 reimbursable with no required matching funds
Recommendation:	Staff recommends approval for acceptance of said grant and

expenditure and revenue budget.

Speaker's Name C.B. Strain

Documents:

[E2627 WASHINGTON PARK--GALLUP \(2\).PDF](#)

[RESOLUTION TEMPLATE 20-E2627 WASHINGTON PARK \(2\).PDF](#)

**4. Resolution No. R2020-29; Acceptance Of State Of New Mexico DFA Fund 89200 Capital Appropriation Project Grant Agreement For Police Vehicles And Equipment**

The Planning and Development Department is requesting City Council approve Resolution No. R2020-29 to accept State of New Mexico Department of Finance and Administration Fund 89200 Capital Improvement Project Grant Agreement 20-E2624 for \$120,000.00 and to change the designated grantee points of contact to Mr. Franklin Boyd, Police Chief and Mrs. Patty Holland, Chief Financial Officer.

The project that is the subject of this agreement is described as 20-E2624 \$120,000.00 Appropriation Date: 6/30/2022 Laws of 2020, Chapter 81, Section 35, Para. 280, one hundred twenty thousand dollars (\$120,000.00) to purchase and equip vehicles for the Police Department in Gallup in McKinley County.

Staff is requesting that City Council accept the grant agreement and approve expenditure and revenue budget. This is a 100% reimbursable grant with no required matching funds.

Fiscal Impact: \$120,000.00 reimbursable with no required matching funds.

Recommendation: Staff recommends approval for acceptance of said grant and expenditure and revenue budget.

Speaker's Name C.B. Strain

Documents:

[E2624 POLICE VEHICLES--GALLUP.PDF](#)

[RESOLUTION TEMPLATE 20-E2624 POLICE VEHICLES.PDF](#)

**5. Public Comment: Edward Byrne Memorial Justice Assistance Grant (JAG) Program 2020**

The U.S. Department of Justice (DOJ) has grant funding through the Edward Byrne Memorial Justice Assistance Grant (JAG) Program. This program furthers the Department's mission by assisting state, local, and tribal efforts to prevent or reduce crime and violence. In order to receive funding, the governing body and citizens must have notice that we are applying for the grant and an opportunity to comment.

Fiscal Impact: If awarded, the total amount would be \$25,718. The amount will be divided between the City of Gallup and McKinley County.

Recommendation: None / Discussion item only.

Speaker's Name Chief Franklin Boyd

**6. Approval And Acceptance Of The 2020 Coronavirus Emergency Supplement Funding (CESF) Program Grant For \$94,413.00**

In May, 2020, the City and Police Department applied for a federal grant solicitation titled the "Coronavirus Emergency Supplemental Funding (CESF) Program" grant for \$94,413.00.

The solicitation overview for this grant states that the "Coronavirus Emergency Supplemental Funding Program will provide funding to assist eligible states, local units of government, and tribes in preventing, preparing for, and responding to the coronavirus".

The Gallup Police Department has designated this funding to be utilized for equipment, supplies, training, and services. \*See attached budget narrative.

Supervisor Charlotte Becenti of the Finance Department has confirmed that the city has received notification and has verified that the grant funds are now available. \*U.S. Department of Justice Award Number 2020-VD-BX-1547.

The Gallup Police Department is now requesting approval for a budget adjustment for budget revenue and expenditures in the amount of \$94,413.00 for equipment, supplies, training, and services.

Fiscal Impact:	Budget adjustment in revenue & expenditure for the "Coronavirus Emergency Supplemental Funding (CESF) Program" grant in the amount of \$94,413.00.
Recommendation:	Approval & acceptance of the Coronavirus Emergency Supplemental Funding Program grant for \$94,413.00
Speaker's Name	Chief Franklin Boyd

Documents:

[CESF GRANT SOLICITATION.PDF](#)  
[GRANT PROGRAM AND BUDGET NARRATIVE.PDF](#)

**7. Resolution No. R2020-30; Approving Submission Of An Application To The New Mexico Water Trust Board For Funding Of Project 7B Of The Navajo-Gallup Water Supply Project**

Funding will be needed for construction of Navajo Gallup Water Supply Project (NGWSP) Project 7B (Reach 27.7B), which includes the installation of approximately 4 miles of 16-inch water transmission line with appurtenances to connect NGWSP Reach 27.6 and NGWSP Reach 27.7B. The transmission line will deliver water directly from the Gamarco Storage Tanks to the Red Rock Park Storage Tanks, providing potable water to the eastern portion of the Gallup-Rural Navajo Regional Water System.

Council Resolution is required to submit funding application to New Mexico Water Trust Board for consideration.

Attachment 1 is the proposed resolution. Attachment 2 is a map of the Gallup Regional Water System showing Project 7B to the east of the City.

Fiscal Impact: Requesting up to \$4.1 million from Water Trust Board for NGWSP Project 7B. Typical split on NGWSP funding from WTB is 60% (\$2.46 million) grant and 40% (\$1.64 million) loan. If Water Trust Board funding is approved, a budget adjustment will be needed up to \$4.1 million in expenditures in addition to annual loan payments of up to \$61,588 after project completion (0.25% interest rate, amortized over a 20 year period).

Fiscal Impact:

None at this time.

If Water Trust Board funding is approved, a budget adjustment will be needed up to \$4.1 million in expenditures in addition to annual loan payments of up to \$61,588 after project completion (0.25% interest rate, amortized over a 20 year period).

Recommendation:

Staff recommends approval of Resolution No. R2020-XXX to submit application to the NM Water Trust Board for Funding of Navajo Gallup Water Supply Project — Project 7B (Reach 27.7B) and follow on budget adjustments, as described above, if the project is funded.

Fiscal Impact: Please see above.

Recommendation: Please see above.

Speaker's Name Dennis Romero

Documents:

[ATTACHMENT 1 - RESOLUTION R2020-30 WATER TRUST BOARD PROJECT 7B FINAL DRAFT.PDF](#)

[ATTACHMENT 2- GALLUP REGIONAL SYSTEM MAP 27.7B.PDF](#)

**8. Resolution No. R2020-31; Approving Submission Of An Application To The New Mexico Water Trust Board For Funding Of A G-80 Municipal Ground Water Well**

The U.S. Bureau of Reclamation, upon request of other project participants has delayed the completion of the San Juan Lateral of the Navajo Gallup Water Supply Project (NGWSP) for three to five years, in order to examine the feasibility of using a water storage reservoir at the San Juan Generating Station to store project water.

The City had planned on receiving surface water in December 2024, thereby transitioning away from its ground water municipal wells as its primary source of potable water. Because of the circumstances related to the COVID-19 pandemic, the City has been contacted and requested repeatedly to increase its ground water diversions to assist in the water supply to the Navajo Nations and other surrounding communities within McKinley County.

Because of requests for additional City water from surrounding areas, the City resolved all protests to Water Rights Application No. G-80/SJ-1491 et al., filed on October 15, 1981, and has requested expedited approval of this application from the New Mexico Office of the State Engineer. As the City had not planned on upgrading its municipal ground water well portfolio due to its anticipated transition to surface water and has set aside a significant portion of its utility budget toward the NGWSP, there is now a need for funding to drill up to three ground water wells to ensure a reliable water supply during the three to five year delay of NGWSP completion.

In order to ensure an adequate water supply and fund up to three new ground water wells, the City Water and Sanitation Department has submitted a grant application to the Department of Interior and is working with the Navajo Nation Department of Water Resources on potential funding for these wells. In addition to these efforts, a funding application to the Water Trust Board is being prepared for additional funding for this effort.

A Council Resolution is required to submit funding application to New Mexico Water Trust Board for consideration.

Attachment 1 is the proposed resolution.

Fiscal Impact: Requesting up to \$4.1 million from Water Trust Board for the G-80 Municipal Ground Water Well Project. Typical split on funding from WTB is 60% (\$2.46 million) grant and 40% (\$1.64 million) loan. If Water Trust Board funding is approved, a budget adjustment will be needed up to \$4.1 million in expenditures in addition to annual loan payments of up to \$61,588 after project completion (0.25% interest rate, amortized over a 20 year period).

Recommendation:

Staff recommends approval of Resolution No. R2020-YYY to submit application to the NM Water Trust Board for Funding of a G-80 Municipal Ground Water Well and follow on budget adjustments, as described above, if the project is funded.

Fiscal Impact: Please see above.

Recommendation: Please see above.

Speaker's Name Dennis Romero

Documents:

[RESOLUTION R2020-31 WATER TRUST BOARD PROJECT G-80.PDF](#)

## 9. **Budget Adjustment For Annual Subscription And E-Procurement Software Subscription**

National Institute of Government Purchasing \$460.00 Dues (Buyer's license, membership rates for trainings, and website resources)

Gallup Independent \$138.00 (Subscription for tear sheets when processing billings for all legal and public notices for the City of Gallup)

NMPPA \$200 Dues (CPO certifications, membership rates for trainings, and website resources)

Periscope \$1120.00 (Licensing for commodity codes use requirement per NM State Procurement Code)

Negometrix \$6800 (E-Procurement Software subscription)

TOTAL: \$9000 (rounded up in case there is increase in membership fees this year)

With the whole Covid19 situation, it became very difficult for the Purchasing Department to do bid openings and with the physical acceptance of bids. There is noticeably a decline in the bidding participation because contractors were unable to get proposals to the City especially during the lockdown when no one was allowed in to Gallup. In addition there is value added to acquiring a system that allows us to have a bigger vendor pool that could save us money with even more competitive bidding if more participants PLUS the software is free for 6 months in light of Covid with no obligations. Platform will also expedite the RFP process and will ease acquiring information and documents for auditing time.

Fiscal Impact: Budget adjustment of \$9000 from General Fund Balance into Subscription Fund 101-1019-411-4714

Recommendation: Approval of budget adjustment in the amount of \$9000 for annual subscriptions

Speaker's Name Frances Rodriguez, Purchasing Director

Documents:

[09082020 AGENDA ITEM-PURCH.PDF](#)

#### 10. **Approval For SCADA Equipment Purchase**

We originally used an estimate of \$285,000.00 which we thought would be adequate to purchase the equipment needed to upgrade our SCADA system. In retrospect that was a mistake and I should have acquired a proposal based on a quote from the manufacturer of choice. We did accomplish a sole source proposal to use Schweitzer Laboratory equipment which is the standard for electric utilities. We received no protests to the use of sole source. Therefore I am requesting approval of the proposal from Schweitzer Laboratory in the amount of \$340,672.06.00 which includes GRT of \$26,145.06. We do have funding in our capital account 307 for this proposal.

Fiscal Impact: There is no financial impact as funding is available in Account 307-6061-442-45-90, Project No. JU1510.

Recommendation: Staff recommends approval of this proposal.

Speaker's Name John Wheeler

Documents:

[021550.000.00 PROPOSAL FOR CITY OF GALLUP - SCADA AND METER UPGRADES 07132020 \(1\).PDF](#)

#### 11. **Appointment Of Members To The Labor Management Relations Board**

The City of Gallup currently has a Labor Management Relations Board to assist in the implementation and administration of the City's Labor Management Relations Ordinance. The board consists of three members: one member representing management, one member representing labor and one member serving on the recommendation of the first two appointees.

Management recommends the appointment of Allan Landavazo to represent management. Labor recommends the appointment of Tommy Gonzales to represent labor. If the Council approves these appointments, Mr. Landavazo and Mr. Gonzales will need to submit their nomination of the third member as soon as possible.

Fiscal Impact: None.

Recommendation: Appoint Allan Landavazo and Tommy Gonzales to the Labor Management Relations Board.

Speaker's Name Mayor Louie Bonaguidi

Documents:

**E. Comments By Public On Non-Agenda Items**

The public is invited to comment on matters not appearing on the published meeting agenda.

**F. Comments By Mayor And City Councilors**

**G. Comments By City Manager And City Attorney**

**H. Motion To Adjourn**

Pursuant to the "Open Meetings Act", NMSA 1978, Section 10-15-1 through 10-15-4 of the State of New Mexico, this Agenda was posted at a place freely accessible to the public 72 hours in advance of the scheduled meeting.